

Remarks

Claims 1-20 are pending. Claims 1, 3, 5, 7, 8, 10-12, 14, 15, 17, and 18 stand rejected. Claims 2, 4, 6, 9, 13, 16, and 19 are objected to. Claim 20 was not addressed.

Claims 1, 3, 5, 7, 8, 10-12, 14, 15, and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Joichi of JP7324161 ("Joichi").

In order for a rejection under 35 U.S.C. 102(b) to be proper, the cited reference must teach each and every aspect of the claimed invention either explicitly or inherently. See MPEP § 2131. As elaborated in *Richardson v. Suzuki Motor Co.* "[t]he identical invention must be shown in as complete detail as is contained in the claim." 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1987).

Applicants respectfully submit that Joichi does not teach each of the elements of the present invention, and therefore does not anticipate it under 35 U.S.C. 102(b). Specifically, Joichi does not disclose an index of 90-110 as is required by the present invention (or an index of 98-102 as is recited in dependent claims 12 and 13). In the examples of Joichi, examples 1 and 2 are the only examples using a mono-ol plasticizer (i.e. Plasticizer A), and the index of these examples is 80 and 73, respectively. Accordingly, in view of the foregoing arguments, Applicants respectfully request that this rejection be withdrawn.

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Joichi. The Examiner notes that "Joichi discloses the invention of the claims (see above), but differs from this claim in example one by showing only about 0.03 hard block ratio." *Office Action dated 11/26/2004, page 2*. The Examiner then explains how it would have been obvious to one of ordinary skill in the art at the time the invention was made to increase the hard block ration by using a mono-ol of lower molecular weight. *See id. at page 3*. As is further discussed above, Applicant respectfully submit that Joichi does not "disclose the invention of the claims" as the Examiner alleges because Joichi does not disclose an index of 90-110 (or an index of 98-102 as is recited in dependent claims 12 and 13). Therefore, the basis for justifying the 103(a) rejection is flawed, and claim 18 is patentable over Joichi. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Claims 2, 4, 6, 9, 13, 16, and 19 were objected to for depending on a rejected claim. For the reasons cited above, Applicants respectfully submit that the rejected claims upon which claims 2, 4, 6, 9,

13, 16, and 19 depend are not anticipated and are patentable over Joichi. Therefore, Applicants respectfully submit that this objection should be withdrawn.

Applicants respectfully note that the Examiner did not reference pending claim 20 in the Office Action. In any event, Applicants respectfully submit that the same arguments discussed above would be applicable to claim 20 if it were similarly rejected.

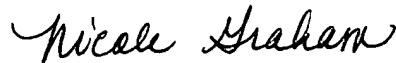
Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the application is now in condition for allowance, and respectfully request issuance of a Notice of Allowance directed towards claims 1-20. If a telephone conference would expedite the processing of this application, the Examiner is requested to contact the undersigned at (281) 719-4803.

Should any fee be due in connection with the filing of this document, the Commissioner for Patents is hereby authorized to deduct said fee from Huntsman Corporation Deposit Account No. 08-3442.

Please date stamp and return the enclosed postcard to acknowledge receipt of this material.

Respectfully submitted,



Nicole Pfeffer Graham
Registration No. 47,852
Attorney for Applicants

Date: 12-9-04



CERTIFICATE OF MAILING (37 CFR 1.8 (A))

I hereby certify that the attached papers or fee is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

12/17/04
(date)

Julia C. Hackstie
(printed name)

Julia C. Hackstie
(signature)